

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Agricultural Marketing Department – The Andhra Pradesh (Agricultural Produce & Livestock) Markets Rules, 1969 – Amendment - Preliminary Notification – Orders - Issued.

AGRICULTURE & COOPERATION (MKTG.I) DEPARTMENT

G.O.MS.No. 104

Dated: 22-10-2019.

Read the following

1. G.O.Ms.No.1990, Food & Agri,(Legislation), Dept., Dt:17.10.1969.
2. The A.P (Agricultural Produce & Livestock) Markets (Amendment) Act No.25 of 2005, dated:10-05-2005.
3. The A.P (Agricultural Produce & Livestock) Markets (Amendment) Act, 1966 (Act No.6 of 2014) published in the A.P Gazette No.6, Part IV-B Extraordinary, dated:16-09-2014.
4. The A.P (Agricultural Produce & Livestock) Markets (Amendment) Act, 1966 (Act No.10 of 2014) published in the A.P Gazette No.10, Part IV-B Extraordinary, dated:30-12-2014.
5. The A.P (Agricultural Produce & Livestock) Markets (Amendment) Act,1966 (Act No.14 of 2015) published in the A.P Gazette No.14, Part IV-B Extraordinary, dated:08-10-2015.
6. The A.P (Agricultural Produce & Livestock) Markets (Amendment) Act, 1966 (Act No.28 of 2019) published in the A.P Gazette No.28, Part IV-B Extraordinary, dated:17-08-2019.
7. From the Special Commissioner & Director of Agricultural Marketing, A.P, Guntur, Letter No.AGC05-11030-/50/2019, dated:29-08-2019.

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ORDER:

Whereas, the Government of Andhra Pradesh has made certain amendments to the Andhra Pradesh (Agricultural Produce & Livestock) Markets Act,1966 by the Act No.14 of 2015 and Act No.28 of 2019 published in the Andhra Pradesh Gazette No.14, Part IV-B Extraordinary, dated:08-10-2015 and Andhra Pradesh Gazette No.28, Part-IV-B Extraordinary, dated 17.08.2019 respectively,-

And whereas, it is proposed to amend the Andhra Pradesh (Agricultural Produce & Livestock) Markets Rules, 1969 issued in G.O.Ms.No.1990, Food & Agriculture (Legislation) Dept., Dated 17.10.1969, suitably in tune with the said amendments made to the Act.

And whereas, it has been decided to publish the proposed draft amendments to the said rules for previous publication;

Accordingly, the following notification will be published in the Andhra Pradesh Gazette Extraordinary, dated:

PRELIMINARY NOTIFICATION

In exercise of the powers conferred by sub section (1) of section 33 of the Andhra Pradesh (Agricultural Produce and Livestock) Markets Act, 1966, the Government proposes to make certain amendments to the Andhra Pradesh (Agricultural Produce and

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Livestock) Markets Rules, 1969 as amended from time to time and the same are hereby published, as required under sub section (4) of section 33 of the said Act, for the information of all persons likely to be effected thereby, and notice is hereby given that the draft amendments to the said rules shall be taken into consideration after expiry of a period of one month from the date of issue of the notification.

Any objection or suggestion which may be received from any person with respect to the draft amendments to the said rules with in the period so specified shall be considered by the State Government.

Objections or suggestions, if any, may be sent to the Principal Secretary to Government, Agriculture & Cooperation Department, 4th Block, Andhra Pradesh Secretariat, Amaravati.

AMENDMENTS

In the said rules:

1. In rule 2, after sub rule (XV), the following shall be added, namely,-

“(XV) (a) ‘Member of a Market Committee’: ‘Member of a Market Committee means a member as nominated by the Government and includes Chairman, Vice-Chairman unless specifically excluded”

2. In rule 5 in sub rule (1),

(i) after the words “every market committee shall consist of, for the words “fourteen members” the words “**twenty members**” shall be substituted.

(ii) in clause (i) at the beginning for the words “Eight members”, the words “**Twelve members**” shall be substituted.

(iii) under first proviso to clause (i), for the words “three members” the words “**five members**” shall be substituted.

(iv) under second proviso to clause (i), for the words “two members” the words “**five members**” shall be substituted.

(v) in clause (v) at the beginning for the words “Two members”, the words “ **Three members**” shall be substituted.

(vi) after clause (vi), the following new clause shall be added, namely,-

“(vii) Member of Legislative Assembly in whose constituency, the Office of the Market Committee is located.”

3. in rule 24, after the words “ in writing to the Market Committee”, and before the words “ Except in a case”, the words “Such resignation of the Chairman or Vice-Chairman shall be brought to the notice of the Director of Marketing immediately and placed before the Market Committee for taking effect” shall be inserted.

4. in rule 25 (2), under explanation, after the words “if on the receipt of a report from”, the words “the Chairman through” shall be deleted.
5. in rule 28,
 - (i) for the Heading, the following shall be substituted, namely,-

**“POWERS AND DUTIES OF CHAIRMAN, VICE-CHAIRMAN
AND HONORARY CHAIRMAN”**
 - (ii) after sub rule (4), the following shall be added, namely,-

“(5) The Honorary Chairman may advise the Market Committee on matters relating to effective implementation of the provisions of the Act and Rules therein, within the notified market area.”
6. for rule 29, the following shall be substituted, namely,-

“29: QUORUM FOR A MEETING OF MARKET COMMITTEE:

The quorum for a meeting of the market committee shall be half of the total members.

Provided that the quorum for the adjourned meeting shall be 1/3rd of total members and at such a meeting only such specific items of agenda as have been circulated to members for discussion in the meeting called earlier shall be disposed off.”
7. In rule 31, in sub-rule (5), at the end of the paragraph, the following shall be added, namely,-

“Where the decisions of the Market Committee are inconsistent with the Act, Rules or Bye-laws made thereunder or the instructions of the Government or of the Director of Marketing such decisions shall be immediately brought to the notice of the Director of Marketing or Government without fail and the Director of Marketing or Government may order in writing that such decisions be put in abeyance, modified, annulled, reversed or remitted for reconsideration, whereupon it shall be the duty of the Secretary to implement such orders of the Director of Marketing or the Government.
8. in rule 34, for the figures “25”, the figures “100” shall be substituted.
9. In Rule 48, for sub rule(5) the following shall be substituted, namely,-

(5) “Every license granted under this rule is valid for 5 (five) years” and shall expire on the last day of the fifth financial year “
10. in rule 68:-
 - (i) In sub rule (1), at the end of the paragraph, for the words “punishable with fine which may extend to two hundred rupees”, the words “punishable with imprisonment for a term which shall not be less than three months but which may extend to six months and with fine, which may extend to One thousand rupees”, shall be substituted.

- (ii) In sub rule (2), at the end of the paragraph, for the words “punishable with fine which may extend to five hundred rupees”, the words “punishable with imprisonment for a term which shall not be less than three months but which may extend to six months and with fine, which may extend to One thousand rupees”, shall be substituted.
 - (iii) For sub rule (5) the following shall be substituted, namely,-
“Whoever, in contravention of the provisions of this rule, refuses to produce the record and accounts as required by the Officer authorized by the Market Committee, shall be punishable with imprisonment for a term which shall not be less than three months but which may extend to six months and with fine, which may extend to One thousand rupees”.
11. In rule 73, for sub rule (3) the following shall be substituted, namely,-
“(3) Any person contravening the provisions of sub rule(2) shall be punishable with imprisonment for a term which shall not be less than three months but which may extend to six months and with fine, which may extend to One thousand rupees.”
12. In rule 75, for sub rule (3) the following shall be substituted, namely,-
“(3) Any person who fails to stop the vehicle when required, to do so under sub-rule (2) shall be punishable with imprisonment for a term which shall not be less than three months but which may extend to six months and with fine, which may extend to one thousand rupees.”
13. In rule 76, at the end of the paragraph, for the words “punishable with fine which may extend to five hundred rupees”, the words “punishable with imprisonment for a term which shall not be less than three months but which may extend to six months and with fine, which may extend to five thousand rupees” shall be substituted.
14. In rule 159, in clause (a), under the Table, “Zone-III and the corresponding entries there to, shall be omitted.
15. In rule 192, in sub rule (2), at the end of paragraph, the words, “or disciplinary proceedings are instituted by issue of statement of charges and continued”, shall be added.
16. In rule 194, in sub rule (1) after the words “ the Andhra Pradesh Civil Services (Conduct) Rules, 1964” and before the words “as the case may” the words “ the Andhra Pradesh Civil Services (classification, control and appeals) Rules, 1991, the Andhra Pradesh State & Subordinate Service Rules, 1996”, shall be inserted.
17. In rule 198, in sub rule (2), for the table the following shall be substituted, as follows:
namely,-

TABLE

Sl. No	Kinds of penalties under different clauses of Rule 197	Categories 1 to, 15 & 16		Category 11 to 13		Category 14	
		Penalising authority	Appellate authority	Penalising authority	Appellate authority	Penalising authority	Appellate authority
1	2	3	4	5	6	7	8
1	Censure under Clause (i)	Secretary	Market Committee	Secretary	Market Committee	Chairman Market Committee	Director
2	Fine under Clause (ii)			Secretary	Chairman		
3	Withholding of increments or promotion under Clause (iii)	Secretary	Market Committee	Secretary	Market Committee	Chairman Market Committee	Director
4	Reduction to a lower rank etc., under Clause (iv)	Chairman Market Committee	Director			Chairman Market Committee	Director
5	Recovery of pay under Clause (v)	Secretary	Market Committee	Secretary	Market Committee	Chairman Market Committee	Director
6	Removal from service under Clause (vi)	Joint Director of Marketing	Director	Chairman Market Committee	Director	Chairman Market Committee	Director
7	Dismissal from the under Clause (vii)	Joint Director of Marketing	Director	Market Committee	Director	Chairman Market Committee	Director
8	Suspension	Joint Director of Marketing	Director	Secretary		Chairman Market Committee	Director

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Y.MADHUSUDHANA REDDY
SPECIAL SECRETARY TO GOVERNMENT (AM&COOP)

To
The Commissioner of Printing, A.P., Vijayawada with a request to publish the notification in the next extraordinary issue of the A.P. Gazette and furnish 100 copies to Agriculture & Cooperation Department and 100 copies to Special Commissioner & Director of Agricultural Marketing, A.P., Guntur. (By Regd. Post with ACK due)
Copy to:-
The Law (A) Department.
The P.S. to Hon’ble Minister (Marketing & Warehousing).
The P.S.to Spl.Secretary to Government (AM & Coop) Department.
The Marketing-II Section, Agri. & Coop. Department.
SF/SCs

// FORWARDED BY ORDER //

SECTION OFFICER